

REMARKS

By this Amendment, a new Abstract is submitted in conformance with the rules.
Claims 1-14 are pending.

Claims 1-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dulman (U.S. 5,915,008) in view of Strauss et al. (U.S. 5,940,598). Applicants traverse the rejection because the cited prior art fails to disclose, teach or suggest all the features recited in the rejected claims. For example, the cited prior art fails to disclose, teach or suggest the claimed connection of one of several customer premises equipment, or CPE, via an ATM network to one of several service providers, wherein each CPE is connected to the ATM network via a corresponding network termination point, or NT; and an access server function, or ASF, is formed having a permanent virtual connection to each NT and a connection to each SP; a tunneling protocol is established on that permanent virtual connection between each NT and the ASF, that tunneling protocol being able to support an integrated signaling protocol; wherein the CPE or its user selects an appropriate SP by using the integrated signaling protocol, routing is performed from the CPE to the selected SP by the ASF; and the ASF connects the CPE to the selected SP using the integrated signaling protocol, as recited in independent claims 1 and 8 and their respective dependent claims.

Dulman merely illustrates an improved provisioning system for activation/de-activation of intelligent network services. Although Dulman lists various alternatives what can be the underlying technologies for the needed TCP/IP connectivity (e.g., ATM), Dulman fails to disclose, teach or suggest an ATM network that connects one of several customer premises equipment to one of several service providers, wherein each CPE is connected to an ATM network via a corresponding network termination point, as recited in the rejected claims. That claim language requires that the ATM network starts at the Network Termination (NT) equipment on the customer premises site. Thus, each CPE equipment has its own NT and dedicated ATM connection.

Dulman's Advanced Intelligent Network (AIN), which the Office Action equated to the claimed ATM network, starts after the firewall server, not at the dedicated NT equipment for each CPE. As illustrated in Dulman's Figure 2, the AIN is located behind the firewall server; therefore, the AIN does not include a link to the customer premises. To the contrary, the ATM network referred to in the claimed invention starts at the NT located at the customer premises and ends at the service provider site. Therefore, Dulman's AIN does not correspond to the claimed ATM network. Therefore, contrary to the assertions of the Office Action,

Dulman fails to teach or suggest an ATM network or the CPE referred to in the claims.

Furthermore, according to Dulman, at column 10, lines 11-14, the NAP is referred to as a central office; therefore, the NAP is not located at a customer premises. Moreover, Dulman teaches that the NAP is connected via link 14 to the CPE. That link 14 is defined at column 10 lines 51-53 as a conventional POTS/ISDN link, which means link 14 would merely be equivalent to the link between the NT and the ASF in the invention. Accordingly, the claimed NT does not correspond to Dulman's NAP.

Moreover, even if Dulman's AIN corresponded to an ATM network, which it does not, the Office Action has erroneously asserted that Strauss teaches or suggests the remaining features of the rejected claims. More specifically, the Office Action has asserted that Strauss teaches a design that features an AIN and that that design uses an encapsulation means.

Nevertheless, neither Strauss, analyzed individually or in combination with Dulman, fails to disclose, teach or suggest the claimed permanent virtual connection between each NT and the ASF. Strauss refers to a "virtual circuit;" however, Strauss refers to that term only in its description of the prior art. As a result, Strauss, analyzed individually or in combination with Dulman, fails to disclose, teach or suggest an ASF that has a permanent virtual connection to each NT and a connection to each SP. Moreover, the Office Action has failed to identify where in either Strauss or Dulman is taught the claimed CPE or user selecting an appropriate SP by using the integrated signaling protocol. Likewise, Office Action has failed to identify what part of the cited prior art teaches or suggests the claimed performance of routing from the CPE to the selected SP by the ASF because neither reference discloses an ASF. Although Figure 2 of Dulman illustrates an access server 48; no disclosure is provided regarding what connections are made with that server. Finally, the Office Action has failed to identify what part of the prior art teaches or suggests the claimed connection by the ASF of the CPE to the selected SP using the integrated signaling protocol because neither Dulman nor Strauss teaches or suggests an ASF.

Accordingly, the rejection of claims 1-14 is traversed because Dulman and Strauss, analyzed individually or in combination, fail to disclose, teach or suggest the claimed invention. Therefore, claims 1-14 are allowable.

All objections and rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of the pending claims. However, if anything further is necessary to place the application in condition for allowance, Applicant requests

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that the Examiner telephone the undersigned Applicant representative at the number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



CHRISTINE H. MCCARTHY

Reg. No. 41844

Tel. No. 703 770.7743

Fax No. 703 770.7901

Date: February 21, 2006
P.O. Box 10500
McLean, VA 22102
(703) 770-7900